

CPA/ \$
1615

LAW OFFICES
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20037-3213
TELEPHONE (202) 293-7060
FACSIMILE (202) 293-7860
www.sughrue.com



March 14, 2001

BOX CPA
Commissioner for Patent
Washington, D.C. 20231

#20
HKO
3-20-01

Re: Application of Masahiko DOHI, Yoshihisa NISHIBE, Yuji MAKINO and
Takao FUJII
POWDERY COMPOSITION FOR NASAL ADMINISTRATION
Our Ref: Q51505

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. 09/125,814 filed on August 26, 1998 of Masahiko DOHI, Yoshihisa NISHIBE, Yuji MAKINO and Takao FUJII entitled POWDERY COMPOSITION FOR NASAL ADMINISTRATION.

This application is being filed under 37 CFR § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 USC § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1619.

Enter the Amendment previously filed on September 19, 2000 under 37 CFR § 1.116, but unentered, in the prior application.

A Preliminary Amendment is being submitted herewith.

The power of attorney appears in the original papers of the prior application.

Priority is claimed from February 27, 1996, and February 28, 1996, based on JP Application Nos. 8-39553, and 8-41079, respectively. The priority documents were filed in parent Application No. 09/125,814.

The Government filing fee is calculated as follows:

Total claims	57	-	20	=	37	x	\$18.00	=	\$666.00
Independent claims	5	-	3	=	2	x	\$80.00	=	\$160.00
Base Fee									\$710.00
Multiple Dependent Claim Fee									\$270.00
TOTAL FILING FEE									
	02 FC:131				710.00	CH			
	03 FC:103				666.00	CH			
	04 FC:102				160.00	CH			
	05 FC:104				270.00	CH			

03/15/2001 CCHAU1 00000026 194880 09125814

\$1806.00

RECEIVED
MAR 16 2001
TECH CENT
09/125,814

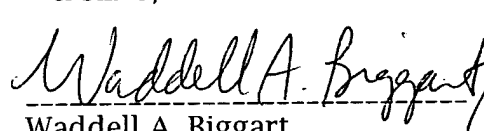
BOX CPA
Commissioner for Patents
March 14, 2001
Page 2

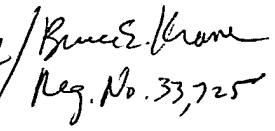
Please charge the statutory fee of \$1806.00 to Deposit Account No. 19-4880. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 and any petitions for extension of time under 37 C.F.R. § 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

A Petition and payment for an extension of time is being filed concurrently herewith in Application No. 09/125,814. The application is timely filed.

Respectfully submitted,

SUGHRUE, MION, ZINN, MACPEAK
& SEAS, PLLC


Waddell A. Biggart
Registration No. 24,861


Reg. No. 33,725

PATENT APPLICATION
Q51505

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DOHI, Masahiko, et al.

Appln. No.: 09/125,814

Filed: August 26, 1998

For: POWDERY COMPOSITION FOR NASAL ADMINISTRATION



Group Art Unit: 1619

Examiner: A. Berman

RECEIVED
MAR 16 2001
TECH CENTER 1600/2900

#21/G
AKD
3-20-01

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please add the following new claims:

46. (New) A powdery composition for nasal administration wherein
- (1) the composition contains
 - (i) a drug,
 - (ii) one or more of a water-absorbing and gel-forming base material from the group consisting of hydroxypropyl cellulose, hydroxypropylmethyl cellulose, methyl cellulose, hydroxyethyl cellulose, and sodium carboxymethyl cellulose and
 - (iii) one or more of a water-absorbing and water-insoluble base material from the group consisting of crystalline cellulose, α -cellulose,

G1
Sub
H1